



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/396,238 09/15/99 NAKAZAWA

13-NG-4893

026418
REED SMITH LLP
375 PARK AVENUE
NEW YORK NY 10152

MMC2/0504

ART UNIT FUNK, S	PAPER NUMBER
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DATE MAILED:
2004

05/04/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/396,238

Applicant(s)

Nakazawa et al.

Examiner

Stephen R. Funk

Art Unit

2854



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on Apr 13, 2001
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-17 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) All b) Some* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) Notice of References Cited (PTO-892)
16) Notice of Draftsperson's Patent Drawing Review (PTO-948)
17) Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____

- 18) Interview Summary (PTO-413) Paper No(s). _____
19) Notice of Informal Patent Application (PTO-152)
20) Other: _____

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 2, and 5 - 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato et al. (JP 10-204,355) in view of Love, III (US 4,718,340). Kato et al. teach the method as recited with exception of imaging the printing plate in press. Note, for example, the English Abstract and Figures 1 - 3 of Kato et al. Love teaches the desirability of imaging a printing plate in press. See columns 2 and 3, the paragraph bridging columns 11 and 12, and column 21 lines 13 - 37 of Love, for example. It would have been obvious to one of ordinary skill in the art to provide the method of Kato et al. with the step of imaging the plate in press in view of Love to achieve the many benefits of directly imaging the plate in press. With respect to claim 7 it would have been obvious to one of ordinary skill in the art to provide the method of Kato et al. with a full line head as disclosed by Love to achieve faster imaging of the plate.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kato et al. in view of Love as applied to claims 1, 2, and 5 - 7 above, and further in view of Adler (EP 641 648). Neither Kato et al. or Love disclose a device for fixing the image on the plate. However, see column 8 lines 23 - 25 of Love for fixable ink compositions. It would have been obvious to one of ordinary skill in the art to provide the method of Kato et al., as modified by Love, with the step of fixing the image on the plate in view of Adler et al. so as to increase the durability of the ink deposited on the plate.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kato et al. in view of Love as applied to claims 1, 2, and 5 - 7 above, and further in view of Masaaki (JP 58-

147,373). Masaaki teaches the conventionality of a means for removing dust from a recording medium before imaging. It would have been obvious to one of ordinary skill in the art to provide the method of Kato et al., as modified by Love, with the step of removing dust before imaging in view of Masaaki so as to prevent dust from interfering with the deposition of ink onto the plate.

Claims 8 - 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato et al. in view of Love as applied to claims 1, 2, and 5 - 7 above, and further in view of Arway et al. (US 4,555,712). Arway et al. teach the conventionality of a means (22) for supplying ink, means (26) for recovering ink, means (40) for controlling the temperature of ink, and means (44) for controlling a concentration of ink for an ink jet print head. See Figure 1 of Arway et al., for example. Arway et al. does not teach means for stirring ink inside the ink tank but such is widely conventional in the art. It would have been obvious to one of ordinary skill in the art to provide the method of Kato et al., as modified by Love, with various means for controlling the ink inside the tank in view of Arway et al. so as to provide ink to the head in an optimum condition.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kato et al. in view of Love as applied to claims 1, 2, and 5 - 7 above, and further in view of Ikkatai (US 5,363,132). Ikkatai teaches the desirability of means for moving the head near or away from a recording medium. See columns 1 and 2 of Ikkatai, for example. It would have been obvious to one of ordinary skill in the art to provide the method of Kato et al., as modified by Love, with the step of moving the head near or away in view of Ikkatai so as to protect the head from

contaminants when not imaging.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kato et al. in view of Love as applied to claims 1, 2, and 5 - 7 above, and further in view of Gasparrini (US 5,322,015). Gasparrini teaches the desirability of removing dust during printing. See the paragraph bridging columns 5 and 6 of Gasparrini, for example. It would have been obvious to one of ordinary skill in the art to provide the method of Kato et al., as modified by Love, with the step of removing dust during printing in view of Gasparrini so as to reduce contamination of the printing cylinders.

Claims 12 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato et al. in view of Love as applied to claims 1, 2, and 5 - 7 above, and further in view of Miura et al. (US 5,988,782). Miura et al. teach the conventionality of stirring the ink within a tank and cleaning the ink jet head. See the Abstract and column 17 line 1 of Miura et al., for example. It would have been obvious to one of ordinary skill in the art to provide the method of Kato et al., as modified by Love, with a means for stirring the ink and means for cleaning the head in view of Miura et al. so as to provide a consistent ink composition to the head and remove contaminants from the head.

Applicant's arguments filed 4/13/01 have been fully considered but they are not persuasive. Applicant appears to argue that Kato et al. teach utilizing a whole automatic printing press, in other words, a separate press. However, this does not refute the advantages of imaging and printing with the same press as taught by Love. Secondly, applicant argues that Love teaches applying the image directly onto the cylinder. However, Love also teaches utilizing

conventional plates in column 15 lines 12 - 28.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for response to this final action is set to expire THREE MONTHS from the date of this action. In the event a first response is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Funk whose telephone number is (703) 308-0982. The examiner can normally be reached on Monday - Thursday from 7:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hilten, can be reached at (703) 308-0719. The fax number for incoming official papers is (703) 308-7722, 7724. The fax number for informal papers in Art Unit 2854 is (703) 308-5841.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Stephen Funk
May 3, 2001



STEPHEN R. FUNK
PRIMARY EXAMINER